IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

Bail Appl..No. 644 of 2007()

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CRIME NO.12/07 OF PAYYAVOOR POLICE STATION, KANNUR DT.

PETITIONER/ACCUSED NO.1 TO 6.

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1. ROBIN BABY, S/O.BABY, AGED 21 YEARS,
VALIYA VEETTIL HOUSE, KAKKATHODU,CHAMATHACHAL P.O.,
PAYYAVOOR AMSOM DESOM, TALIPARAMBA TALUK, KANNUR DISTRICT.

2. SHIJO JOSEPH, S/O.CHACKO, AGED 22 YEARS,
KEECHERIKUNNEL HOUSE, KAKKATHODU, CHAMATHACHAL P.O.,
PAYYAVOOR AMSOM DESOM,TALIPARAMBA TALUK, KANNUR DISTRICT.

3. BOBAN THOMAS, S/O.THOMAS, AGED 33 YEARS,
KEECHERIKUNNEL HOUSE, KAKKATHODU,CHAMATHACHAL P.O.,
PAYYAVOOR AMSOM DESOM, TALIPARAMBA TALUK, KANNUR DISTRICT.

4. BABY CHENNATTU,S/O.CHACKO,AGED 40 YEARS,
CHENNATTU HOUSE, KAKKATHODU,
CHAMATHACHAL P.O., PAYYAVOOR AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.

5. TOMY ERUMATHARAYIL,S/O.CHACKO,AGED
30 YEARS, ERUMATHARAYIL HOUSE, KAKKATHODU,
CHAMATHACHAL P.O., PAYYAVOOR AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.

6. JAISON CHENNATTU,S/O.CHERIYAN,
AGED 33 YEARS, CHENNATTU HOUSE, KAKKATHODU,
CHAMATHACHAL P.O., PAYYAVOOR AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENT: COMPLAINANT.

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STATION HOUSE OFFICER, PAYYAVOOR POLICE
STATION, KANNUR DISTRICT (CRIME NO.12/07 OF
PAYYAVOOR POLICE STATION, KANNUR DISTRICT),
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**BAIL APPLICATION NO.644 OF 2007**

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**DATED THIS THE 5th DAY OF FEBRUARY, 2007**

**O R D E R**

Petitioners who are accused 1 to 6 in Crime No.12/07 of Payyavoor Police Station for offences punishable under sections 143, 147, 148, 341, 323, 324, 506(i) and 308 read with section 149 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that a stab injury has been inflicted on the de facto complainant on the back. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their application for regular bail considered by the Magistrate, Accordingly, petitioners shall surrender before the Investigating Officer on any day between 7.2.2007 and 9.2.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall thereafter be produced before the Magistrate concerned on the same day who shall release the petitioners on bail with appropriate conditions, if an application for bail is filed before the Magistrate.

V.RAMKUMAR, JUDGE

dsn